

# HOUSE BILL 878

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8lr1820

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By: **Washington County Delegation**

Introduced and read first time: February 6, 2008

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County – Regulation of Electricians and the Provision of**  
3 **Electrical Services**

4 FOR the purpose of providing that the compensation of each member of the Board of  
5 Electrical Examiners and Supervisors shall be in an amount approved by the  
6 County Commissioners of Washington County; requiring the Board to adopt  
7 certain rules and regulations for the examining and licensing of master  
8 electricians, restricted electricians, and apprentice and journeyman electricians  
9 in Washington County and the conduct of certain hearings by the Board under  
10 certain circumstances; authorizing the County Commissioners to modify certain  
11 regulations under certain circumstances; providing for the types of businesses  
12 that an individual may engage in if that individual holds a certain master  
13 electrician license; providing for the types of businesses that an individual may  
14 engage in if that individual holds a certain restricted electrician license;  
15 requiring that a certain master electrician license be issued in accordance with  
16 certain rules and regulations of the Board; repealing certain provisions relating  
17 to the application and issuance of a certain master electrician license; repealing  
18 provisions relating a right of appeal for certain applicants for a certain license  
19 to a certain arbitration board; providing that a certain license examination be  
20 administered and the results determined in accordance with certain rules and  
21 regulations of the Board; requiring a certain individual to deliver a certain  
22 certificate of comprehensive general liability insurance to the Board before the  
23 issuance or renewal of a certain restricted electrician license; requiring a certain  
24 certificate of insurance to contain certain information; altering the fees for a  
25 certain master electrician license or restricted electrician license; repealing  
26 certain provisions relating to the expiration or inactive status of a certain

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 license; providing that an individual is guilty of a misdemeanor if that  
 2 individual performs certain work while not licensed as, or under the supervision  
 3 of, a master electrician or a restricted electrician under certain circumstances;  
 4 providing that an individual is guilty of a misdemeanor if that individual  
 5 practices the work of a restricted electrician without complying with certain  
 6 provisions of law; repealing certain provisions relating to the licensing of certain  
 7 restricted electricians; defining certain terms; and generally relating to the  
 8 Washington County Board of Electrical Examiners and Supervisors and the  
 9 regulations of electrical services in Washington County.

10 BY repealing and reenacting, with amendments,  
 11 The Public Local Laws of Washington County  
 12 Section 8-101, 8-103, 8-104, 8-105, 8-106, 8-107, and 8-112  
 13 Article 22 – Public Local Laws of Maryland  
 14 (2007 Edition, as amended)

15 BY repealing  
 16 The Public Local Laws of Washington County  
 17 Section 8-108 and 8-117  
 18 Article 22 – Public Local Laws of Maryland  
 19 (2007 Edition, as amended)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article 22 – Washington County**

23 **Subtitle 1. Electrical Apparatus and Wiring**

24 8-101.

25 (a) **IN THIS SUBTITLE, “BOARD” MEANS THE BOARD OF ELECTRICAL**  
 26 **EXAMINERS AND SUPERVISORS.**

27 (b) The County Commissioners shall appoint a Board of **ELECTRICAL**  
 28 **Examiners and Supervisors**, consisting of 5 individuals, for the purpose of examining  
 29 into the qualifications and capabilities of all individuals who are engaged or desire to  
 30 engage in the business of Master Electrician as defined in this subtitle.

31 [(b)] (c) The Board shall consist of 4 competent individuals who are  
 32 familiar with the electrical business. Those individuals shall have been residents of  
 33 the county for at least 5 years. One individual shall be selected from an electric public  
 34 utility company doing business in Washington County, 2 individuals shall be from  
 35 among the duly licensed Master Electricians in the county, and 1 member shall be  
 36 appointed at-large. Their term of office shall be for 2 years.

1            [(c)] (D)     The fifth member shall be designated by the Washington County  
2 Fire and Rescue Association and shall be an active member of a Volunteer Fire  
3 Company in the county. The term of office of this member is 2 years.

4            [(d)] (E)     Should a vacancy occur during the term of any member, the  
5 County Commissioners shall appoint an individual to fill the vacant position. The  
6 County Commissioners may remove any member of the Board for incompetency or  
7 improper conduct upon satisfactory evidence being presented to it of the condition.

8     8-103.

9            (a)     (1)     Each member of the Board shall receive compensation [of \$30 per  
10 day subject to a maximum of \$300 per year] **IN AN AMOUNT APPROVED BY THE**  
11 **COUNTY COMMISSIONERS** for actual service in attending meetings of the Board.

12                    (2)     The compensation shall be paid by the County Commissioners.

13                    (3)     The Secretary of the Board may receive additional compensation as  
14 the Board considers just and reasonable, subject to the bylaws of the Board.

15            (b)     The compensation and expenses of the Board may not be paid out of the  
16 funds in the State Treasury or become a charge against the State.

17     8-104.

18            (a)     The Board shall meet at least quarterly in each year in Hagerstown and  
19 shall hold special meetings as frequently as the proper and efficient discharge of its  
20 business requires.

21            (b)     (1)     The Board shall adopt **RULES AND** regulations for:

22                            (i)     The examinations and licensing of Master Electricians **AND**  
23 **RESTRICTED ELECTRICIANS;**

24                            (ii)    **IF APPROVED BY THE STATE BOARD OF MASTER**  
25 **ELECTRICIANS, THE EXAMINATIONS AND LICENSING OF APPRENTICE AND**  
26 **JOURNEYMAN ELECTRICIANS;**

27                            (iii)    The approval of reciprocal licensing agreements with other  
28 municipalities and local governments with similar regulation;

29                            [(iii)] (IV)    The enforcement of codes and certain permitting  
30 issues related to electrical work, including the adjudication of disputes;

31                            [(iv)] (V)    [Providing] **THE PROVISION OF** timely notice of  
32 meetings to those who have made application for a license; [and

1                   (v)] (VI)     **THE CONDUCT OF HEARINGS BY THE BOARD,**  
 2 **INCLUDING APPEALS TO THE BOARD RELATED TO THE ORDERS, DECISIONS, OR**  
 3 **DETERMINATIONS MADE BY THE CODE OFFICIAL RELATIVE TO THE**  
 4 **APPLICATION AND INTERPRETATION OF THE CODE; AND**

5                   (VII) The placement, installation, and operation of electrical  
 6 wires, appliances, apparatus, or construction in, upon, and about buildings in  
 7 Washington County.

8                   (2)   (i)     Prior to the adoption of any new or amended regulations by  
 9 the Board, the County Commissioners shall review the regulations.

10                   (ii)    The County Commissioners may either approve, **MODIFY**, or  
 11 reject the regulations following their review in subparagraph (i) of this paragraph.

12                   (3)   (i)     If the County Commissioners approve **OR MODIFY** the  
 13 regulations as provided in paragraph (2) of this subsection and the Board adopts these  
 14 regulations, the regulations have the same force and effect as law.

15                   (ii)    If the County Commissioners reject the regulations as  
 16 provided in paragraph (2) of this subsection, the Board may not adopt the regulations.

17                   (4)    The Board shall give notice of the adoption of new or amended  
 18 regulations.

19 8–105.

20                   (a)    **(1)**     In this subtitle, Master Electrician means and includes any and all  
 21 individuals engaged in the business of, or holding themselves out to the public as  
 22 engaged in the business of installing, erecting, or repairing, or contracting to install,  
 23 erect, or repair electric wires or conductors that are used for the transmission of  
 24 electric current for electric light, heat, or power purposes, or moldings, ducts,  
 25 raceways, or conduits for the reception or protection of such wires or conductors, or to  
 26 any electrical machinery, apparatus, devices, or fixtures to be used for electric light,  
 27 heat, or power purposes.

28                   **(2)**     **IN THIS SUBTITLE, “RESTRICTED ELECTRICIAN” MEANS ANY**  
 29 **INDIVIDUAL WHO HAS BEEN FOUND COMPETENT BY THE BOARD OF**  
 30 **ELECTRICAL EXAMINERS AND SUPERVISORS TO ENGAGE IN LIMITED FIELDS OF**  
 31 **ELECTRICAL WORK.**

32                   (b)    **(1)**     A “Master Electrician” license issued in accordance with the  
 33 provisions of this subtitle **AND THE RULES AND REGULATIONS OF THE BOARD**  
 34 entitles any licensed individual to engage in the business of and to hold himself out to

1 the public as engaged in the business of installing, erecting, and repairing and of  
2 contracting to install, erect, and repair any electric wires or conductors, etc.

3           **(2) A “RESTRICTED ELECTRICIAN” LICENSE ISSUED IN**  
4 **ACCORDANCE WITH THIS SUBTITLE AND THE RULES AND REGULATIONS OF THE**  
5 **BOARD PERMITS ANY LICENSED INDIVIDUAL TO ENGAGE IN THE BUSINESS OF**  
6 **AND TO HOLD HIMSELF OR HERSELF OUT TO THE PUBLIC AS ENGAGED IN THE**  
7 **BUSINESS OF INSTALLATION AND REPAIR OF THE PARTICULAR CATEGORY OF**  
8 **ELECTRICAL EQUIPMENT AND APPARATUS DESCRIBED IN THE RULES AND**  
9 **REGULATIONS OF THE BOARD AND ON THE LICENSE.**

10           (c) This subtitle does not apply to any firm or corporation if the individual  
11 managing and in charge of the electrical work for the firm or corporation is a Master  
12 Electrician licensed under this subtitle.

13 8–106.

14           (a) [(1) (i)] Before any individual engages in the business of a Master  
15 Electrician **OR RESTRICTED ELECTRICIAN** in Washington County, that individual  
16 shall apply to the Board for a license examination.

17                           [(ii) (B)] The Board shall hold license examinations 4 times  
18 annually at a time and place determined by the Board.

19                           [(iii)] An applicant shall file a license application with work  
20 experience verification letters and an examination fee of \$50 at least 30 days before  
21 the examination date. The examination fee is not refundable.

22                           (iv) An applicant shall take and pass an objective written  
23 examination to determine fitness for a license.

24                           (v) The passing grade for the examination shall be 70 percent.

25                           (vi) The examination shall require knowledge of all applicable  
26 codes, laws, rules, and principles of electrical installations.

27           (2) (i) The Board may not grant a license to an applicant who:

28                           1. Is under the age of 21 years; or

29                           2. Has not taken and subscribed an oath that the  
30 applicant has been regularly and principally employed or engaged in electrical  
31 construction, installation, and repair of all types of electrical equipment and apparatus  
32 for a period of not less than 7 years preceding the date of the application, under the  
33 direction and supervision of a Master Electrician, 3 years during which the applicant  
34 supervised or was actively in charge of electrical installation work.

1 (ii) An applicant's work experience shall be verified by letters  
2 from qualified supervisory personnel of present or previous employers of the applicant.  
3 The letters shall be on letterhead of the employer and shall be under affidavit.

4 (iii) An applicant shall file the work experience verification  
5 letters with the applicant's license application.

6 (iv) The Board shall review the work experience verification  
7 letters to determine if, in the opinion of the Board, the applicant has had sufficient  
8 practical experience for a license as a Master Electrician.

9 (3) (i) The Board shall issue a license to an applicant if:

10 1. The applicant passes the examination;

11 2. The Board determines after review of the applicant's  
12 work experience verification letters that the applicant has had sufficient practical  
13 experience;

14 3. The applicant pays the fee; and

15 4. The applicant delivers to the Board a certificate of  
16 insurance that meets the requirements of § 8-107 of this title.

17 (ii) If an applicant meets the requirements of subparagraph (i)  
18 of this paragraph, the Board shall register the applicant as a duly licensed Master  
19 Electrician for a term of 3 years.

20 (iii) The Board shall issue the license in the individual's name  
21 only.

22 (b) An individual whose application for a license has been rejected by the  
23 Board has the right to appeal to a Board of Arbitration. The Board of Arbitration shall  
24 consist of 1 member selected by the individual making the appeal and 1 member  
25 selected by the Board. These 2 members shall select a third member, and the decision  
26 of a majority of the Board of Arbitration shall be final and binding upon all of the  
27 parties to the appeal. The members of the Board of Arbitration shall be paid \$50 each,  
28 which sum shall be deposited with the Board by the individual taking the appeal. If  
29 the Board of Arbitration affirms the decision of the Board, the deposited money shall  
30 be used to pay the Board of Arbitration. If, however, the decision is reversed, the  
31 Board of Arbitration shall be paid by the County Commissioners and the deposit shall  
32 be returned.]

33 (c) **EXAMINATIONS SHALL BE ADMINISTERED AND RESULTS**  
34 **DETERMINED ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD.**

35 8-107.

1 (a) (1) Before the issuance or the renewal of a Master Electrician's license  
2 **OR A RESTRICTED ELECTRICIAN'S LICENSE**, an individual shall deliver to the  
3 Board a certificate of comprehensive general liability insurance, including completed  
4 operations coverage, with limits of \$300,000 for bodily injury and \$100,000 for  
5 property damage.

6 (2) The certificate of insurance shall be issued to the "Board of  
7 Electrical Examiners and Supervisors of Washington County" with the applicant's  
8 name, **AND COMPANY NAME IF APPLICABLE**, appearing on the certificate.

9 (3) A holder of a Master Electrician's license shall forward any notice  
10 of cancellation of insurance to the Board within 10 days of the cancellation date.

11 (4) Insurance obtained in compliance with this section shall relieve the  
12 applicant for a Master Electrician's license from any requirement to furnish a separate  
13 surety bond.

14 (5) An applicant for a Restricted Electrician's license shall also comply  
15 with the insurance requirements of this section.

16 (6) Holders of an inactive Master Electrician's license are exempt from  
17 the insurance requirements of this subsection.

18 (b) The fees shall be[:

19 (1) Active and renewal license – \$150;

20 (2) Inactive license – \$50;

21 (3) Fee to reactivate license – \$50 for each of the remaining years in  
22 the licensing period, the total not to exceed \$150;

23 (4) Late payment penalty – \$100; and

24 (5) Active license for those individuals who become eligible for a  
25 license after the beginning of a licensing period – \$50 for each remaining year or part  
26 of a year in the licensing period] **DETERMINED BY A FEE SCHEDULE ADOPTED BY**  
27 **THE COUNTY COMMISSIONERS.**

28 [8–108.

29 (a) An active license expires on the third December 31 after its effective date  
30 and is renewable every 3 years upon payment of the fee and delivery of the certificate  
31 of insurance, unless the Board has revoked the license.

1 (b) An individual who holds a valid electrical license may go on inactive  
2 status, during which time the licensee may not engage in electrical contracting in  
3 Washington County. An inactive license expires on the third December 31 after its  
4 effective date and is renewable every 3 years upon payment of the inactive license fee.  
5 Insurance is not required while the license is inactive. After 2 years of inactive status,  
6 a licensee must pass a written electrical examination before the license may be  
7 reactivated unless the licensee submits to the Board a letter from an employer of the  
8 licensee, certifying that, during inactive status, the licensee has been performing  
9 electrical work.

10 (c) A licensee may reactivate a license upon a written request to the Board  
11 and payment of the reactivating fee and delivery of a certificate of insurance as  
12 required by § 8-107 of this subtitle.]

13 8-112.

14 (a) A person is guilty of a misdemeanor who:

15 (1) Practices, engages, or continues in the work of a Master Electrician  
16 **OR A RESTRICTED ELECTRICIAN** without compliance with all the provisions of this  
17 subtitle;

18 (2) [Is not licensed as Master Electrician] **PERFORMS THE WORK OF**  
19 **A MASTER ELECTRICIAN OR A RESTRICTED ELECTRICIAN WHILE NOT**  
20 **LICENSED AS, OR UNDER THE SUPERVISION OF, A MASTER ELECTRICIAN OR A**  
21 **RESTRICTED ELECTRICIAN, RESPECTIVELY;**

22 (3) [Does or performs any such work except under the direction of a  
23 Master Electrician;

24 (4) Has been licensed as a Master Electrician **OR A RESTRICTED**  
25 **ELECTRICIAN** and who fails to renew his license and [does or] performs [any such]  
26 **THE work OF A MASTER ELECTRICIAN OR A RESTRICTED ELECTRICIAN;** and

27 [(5)] (4) Violates any of the provisions of this subtitle.

28 (b) (1) Upon conviction, the person shall be fined not less than \$250 nor  
29 more than \$1,000 or imprisoned not more than 90 days, or both.

30 (2) Any conviction automatically shall revoke and annul any license  
31 that may have been issued to that person.

32 [8-117.

33 (a) The Board shall also examine into the qualifications and capabilities of  
34 all persons who are engaged or desire to engage in limited fields of electrical work.



1           (b)   (1)   Persons found properly qualified by the Board shall be issued  
2 Restricted Electrician licenses which shall be designated as such and shall contain the  
3 name of the particular fields of electrical work in which the persons are qualified.

4           (2)   The Board may not grant a Restricted Electrician license to an  
5 applicant who:

6                   (i)   Is under the age of 21 years; or

7                   (ii)   Has not taken and subscribed an oath that the applicant has  
8 been regularly and principally employed or engaged, for a period of at least 4 years  
9 preceding the date of the application, in electrical installation and repair of the  
10 particular category of electrical equipment and apparatus described in subsection (d)  
11 of this section for which the applicant is to be licensed.

12           (c)   A licensed Restricted Electrician may install electrical wiring from the  
13 point of distribution to, and including, the equipment or appliance.

14           (d)   A Restricted Electrician license may be issued for the following  
15 categories:

16                   (1)   Electrically operated heating, air-conditioning, ventilation, and  
17 refrigeration equipment utilizing oil or gas burners and temperature and control  
18 wiring;

19                   (2)   Electrically operated elevators, cranes, hoists, and pumps;

20                   (3)   Electrical display signs;

21                   (4)   Alarm systems, radio and television antennae, cable television, and  
22 telephone and low-voltage communications systems;

23                   (5)   Petroleum dispensing units (gasoline, kerosene, diesel, and  
24 aviation fuels);

25                   (6)   Household appliances;

26                   (7)   On premises electrician (plant electrician) who works only on the  
27 premises of the individual's employer which is a corporation, firm, or company not  
28 engaged in the business of electrical work; or

29                   (8)   Residential one and two family dwellings.

30           (e)   All matters handled by the Board in connection with the issuance of  
31 Restricted Electrician licenses shall be dealt with in the same way and under the same  
32 rules and regulations and to the same extent as the Board uses in the issuance of  
33 Master Electrician licenses.]

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2008.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.